

**EXHIBIT 15**

**Deposition of Anthony Sessa, dated October 11, 2022  
(REDACTED)**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ANTHONY SESSA and MARK SESSA, No. 2:20-cv-02292  
on behalf of themselves and  
all others similarly situated,  
Plaintiffs,  
vs.  
ANCESTRY.COM OPERATIONS, INC.,  
a Virginia Corporation;  
ANCESTRY.COM, INC., a  
Delaware Corporation;  
ANCESTRY.COM LLC, a Delaware  
Limited Liability Company,  
and DOES 1 through 50, inclusive,  
Defendants.

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REMOTE VIDEOTAPED DEPOSITION of ANTHONY SESSA  
TUESDAY, OCTOBER 11, 2022  
VOLUME 1

Reported by  
Daryl Baucum, RPR, CRR, RMR, CSR No. 10356  
Job No. 5468893-2, PAGES 1 - 89

<p>1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA 3 4 ANTHONY SESSA and MARK SESSA, No 2:20-cv-02292 5 on behalf of themselves and 6 all others similarly situated, 7 Plaintiffs, 8 vs 9 ANCESTRY COM OPERATIONS, INC , 10 a Virginia Corporation; 11 ANCESTRY COM, INC , a 12 Delaware Corporation; 13 ANCESTRY COM LLC, a Delaware 14 Limited Liability Company, 15 and DOES 1 through 50, inclusive, 16 Defendants 17 18 REMOTE VIDEOTAPED DEPOSITION of ANTHONY 19 SESSA, with all participants appearing remotely 20 via videoconference, beginning at 2:13 p m , 21 and ending at 4:29 p m , on Tuesday, 22 October 11, 2022, before Daryl Baucum, RPR, 23 CRR, RMR, CSR No 10356 24 25</p>	<p>1 APPEARANCES OF COUNSEL (CONTINUED): 2 3 FOR THE DEFENDANTS ANCESTRY.COM OPERATIONS, 4 INC.; ANCESTRY.COM, INC.; and ANCESTRY.COM LLC: 5 6 QUINN, EMANUEL, URQUHART &amp; SULLIVAN 7 BY: JOHN W. BAUMANN, ATTORNEY AT LAW 8 (APPEARING VIA VIDEOCONFERENCE) 9 865 South Figueroa Street 10 Suite 1000 11 Los Angeles, California 90017 12 213.443.3000 13 JackBaumann@QuinnEmanuel.com 14 15 - and - 16 17 BY: CRISTINA HENRIQUEZ, ATTORNEY AT LAW 18 (APPEARING VIA VIDEOCONFERENCE) 19 555 Twin Dolphin Drive 20 Suite 500 21 Redwood Shores, California 94065 22 650.801.5000 23 ChristinaHenriquez@QuinnEmanuel.com 24 25</p>
<p>1 APPEARANCES OF COUNSEL: 2 3 FOR THE PLAINTIFFS: 4 5 TURKE, STRAUSS 6 BY: SAMUEL STRAUSS, ATTORNEY AT LAW 7 (APPEARING VIA VIDEOCONFERENCE) 8 613 Williamson Street 9 Suite 201 10 Madison, Wisconsin 53703 11 608.237.1775 12 Sam@TurkeStrauss.com 13 14 - and - 15 16 LAW OFFICE OF BENJAMIN OSBORN 17 BY: BENJAMIN R. OSBORN, ATTORNEY AT LAW 18 (APPEARING VIA VIDEOCONFERENCE) 19 102 Bergen Street 20 Brooklyn, New York 11201 21 347.645.0464 22 Ben@BenOsbornLaw.com 23 24 25</p>	<p>1 APPEARANCES OF COUNSEL (CONTINUED): 2 3 4 ALSO PRESENT: 5 SEAN GRANT, Videographer 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

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1	I N D E X			1	TUESDAY, OCTOBER 11, 2022	
2				2	2:13 P.M.	
3				3		
4	WITNESS: ANTHONY SESSA			4	THE VIDEOGRAPHER: Good afternoon. We're	
5	EXAMINATION	PAGE		5	on the record.	
6	BY: MR BAUMANN	10, 82		14:13:50		
7	BY: MR STRAUSS	79		6	The time is 2:13 p.m. and the date is	
8				7	October 11, 2022.	
9				8	Please, note that this deposition is being	
10				9	conducted virtually.	
11	QUESTIONS WITNESS WAS INSTRUCTED NOT TO ANSWER:			10	Quality of recording depends on the	
12	PAGE LINE			14:14:01		
13	23 6			11	quality of camera and Internet connection of	
14	24 1			12	participants. What is seen from the witness and	
15				13	what is heard on screen is what will be recorded.	
16				14	Audio and video recording will continue to	
17				15	take place unless all parties agree go off the	
18	INFORMATION TO BE SUPPLIED:			14:14:16		
19	(NONE)			16	record.	
20				17	This is media unit one of the video	
21				18	recorded deposition of Anthony Sessa taken by	
22				19	counsel for Defendants in the matter of Anthony	
23				20	Sessa and Mark Sessa, et al., versus Ancestry.com	
24				14:14:28		
25				21	Operations, Inc., et al., filed in the United States	
				22	District Court, District of Nevada, case number	
				23	2:20-CV-02292 and is being conducted remotely using	
				24	virtual technology.	
				25	My name is Sean Grant representing	14:14:44
			Page 6			Page 8
1	DEPOSITION EXHIBITS			1	Veritext. I am the videographer. And the court	
2	ANTHONY SESSA			14:14:47		
3				2	reporter is Daryl Baucum also from Veritext.	
4	NUMBER DESCRIPTION PAGE			3	I am not related to any party in this	
5	Exhibit 1 Class Action Complaint	19		4	action nor am I financially interested in the	
6	for Violation of Nev Rev			5	outcome.	
7	Stat Section 597 770			14:14:58		
8	et seq and 598 0903 et seq ;			6	If there are any objections to proceeding,	
9	Intrusion Upon Seclusion;			7	please, state them at the time of your appearance.	
10	Unjust Enrichment			8	Counsel and all present, including	
11	Exhibit 2 "All School Lists &	41		9	remotely, will now state their appearance and	
12	Yearbooks results for			10	affiliations for the record beginning with the	
13	tony sessa"			14:15:07		
14	Exhibit 3 "All School Lists &	47		11	noticing attorney.	
15	Yearbooks results for			12	MR. BAUMANN: Good afternoon.	
16	with pop-up window			13	Jack Baumann of Quinn, Emanuel, for the	
17	Exhibit 4 Web page from Ancestry com	50		14	Ancestry defendant, and with me is Christina	
18	website			15	Henriquez also of Quinn, Emanuel.	
19	Exhibit 5 Photocopy of page from	53		14:15:18		
20	Tony Sessa's high school			16	MR. STRAUSS: This is Sam Strauss on	
21	yearbook			17	behalf of Mr. Sessa and the plaintiff class and I am	
22	Exhibit 6 LinkedIn Profile Page	72		18	joined by Benjamin Osborn.	
23	of Anthony Sessa			19	THE VIDEOGRAPHER: Thank you.	
24				20	Will the certified court reporter, please,	
25				14:15:28		
				21	swear in the witness.	
				22		
				23	ANTHONY SESSA,	
				24	having been first duly sworn, was	
				25	examined and testified as follows:	
			Page 7			Page 9

<p>1 EXAMINATION</p> <p>14:15:32</p> <p>2 BY MR. BAUMANN:</p> <p>3 Q Mr. Sessa -- and you can put your hand</p> <p>4 down now -- we met off the record.</p> <p>5 My name is Jack Baumann. I will be asking</p> <p>14:16:05</p> <p>6 you some questions today.</p> <p>7 Just as a preliminary matter, can you</p> <p>8 state your name and address for the record.</p> <p>9 A It's Anthony J. Sessa, [REDACTED]</p> <p>10 [REDACTED].</p> <p>14:16:21</p> <p>11 Q And have you ever been deposed before,</p> <p>12 Mr. Sessa?</p> <p>13 A No.</p> <p>14 Q So I want to go over just a few ground</p> <p>15 rules.</p> <p>14:16:37</p> <p>16 Depositions are a little bit funny. I</p> <p>17 will ask you questions. You will answer them. It</p> <p>18 feels a little bit like a conversation but it's</p> <p>19 important in depositions to make sure that you let</p> <p>20 me finish my entire answer -- sorry, entire</p> <p>14:16:50</p> <p>21 question -- before you answer.</p> <p>22 That way, the court reporter who is</p> <p>23 sitting there can make sure they take everything</p> <p>24 down.</p> <p>25 Does that make sense to you? 14:17:03</p> <p style="text-align: right;">Page 10</p>	<p>1 Q So Mr. Sessa, have you ever been a party</p> <p>14:18:17</p> <p>2 to a lawsuit before?</p> <p>3 A I filed bankruptcy. I am not sure if that</p> <p>4 qualifies as a lawsuit.</p> <p>5 Q And when did you file for bankruptcy?</p> <p>14:18:29</p> <p>6 A 2007.</p> <p>7 Q And when did those bankruptcy proceedings</p> <p>8 end?</p> <p>9 A It was in 2008.</p> <p>10 Q And do you recall whether there was a --</p> <p>14:18:50</p> <p>11 sorry, I will rephrase the question.</p> <p>12 Do you recall what type of bankruptcy you</p> <p>13 declared?</p> <p>14 A No, I don't recall that.</p> <p>15 Q Was it Chapter 11, Chapter 13? Does</p> <p>14:19:09</p> <p>16 anything like that ring a bell?</p> <p>17 A It was Chapter 11.</p> <p>18 Q And you said those proceedings ended in</p> <p>19 2008.</p> <p>20 What was the end result there?</p> <p>14:19:23</p> <p>21 A I wasn't held responsible for any of my</p> <p>22 debts due to the toxic mortgage thing that happened.</p> <p>23 Make sense?</p> <p>24 Q Yes.</p> <p>25 And aside from your bankruptcy in the 14:19:40</p> <p style="text-align: right;">Page 12</p>
<p>1 A Yes.</p> <p>14:17:05</p> <p>2 Q And do you understand that you are under</p> <p>3 oath today and the testimony that you will be</p> <p>4 giving, you have agreed to provide it truthfully</p> <p>5 just as you would in a court of law?</p> <p>14:17:20</p> <p>6 A Yes.</p> <p>7 Q And is there any reason today you can't</p> <p>8 provide truthful and complete testimony?</p> <p>9 A No.</p> <p>10 Q And when I ask you questions today, there</p> <p>14:17:31</p> <p>11 might be occasions where your counsel objects, and</p> <p>12 your counsel has the right to object but, unless</p> <p>13 your counsel instructs you not to answer, you can go</p> <p>14 ahead and answer the question that was asked.</p> <p>15 Does that make sense?</p> <p>14:17:48</p> <p>16 A Yes.</p> <p>17 Q And if at any point you want to take a</p> <p>18 break or if there is any tech issues or anything</p> <p>19 like that, just let me know. We can take a break</p> <p>20 whenever you need one.</p> <p>14:18:04</p> <p>21 The only thing I would say is that I would</p> <p>22 ask if I have a question pending that you answer</p> <p>23 that question first and then we take the break.</p> <p>24 Is that fair?</p> <p>25 A That is fair. 14:18:16</p> <p style="text-align: right;">Page 11</p>	<p>1 2007/2008 time period, have you ever been a party to</p> <p>14:19:43</p> <p>2 any other lawsuit?</p> <p>3 A No.</p> <p>4 Q Did you meet with your attorneys today</p> <p>5 that are sitting here today to prepare for your</p> <p>14:19:59</p> <p>6 deposition?</p> <p>7 A Yes.</p> <p>8 Q And which attorneys did you meet with?</p> <p>9 A Sam Strauss.</p> <p>10 Q Anyone else?</p> <p>14:20:10</p> <p>11 A No.</p> <p>12 Q And when did you meet with your attorneys?</p> <p>13 A Today? Are you asking me about today?</p> <p>14 Q Sorry. I meant to phrase that more</p> <p>15 broadly.</p> <p>14:20:32</p> <p>16 Other than today, have you met with your</p> <p>17 attorneys previously to prepare for today's</p> <p>18 deposition?</p> <p>19 A Yes.</p> <p>20 Q And did those include any attorneys other</p> <p>14:20:39</p> <p>21 than Mr. Strauss?</p> <p>22 A Yes, Benjamin Osborn.</p> <p>23 Q And how many times have you met with</p> <p>24 Mr. Strauss and Mr. Osborn?</p> <p>25 A Probably about ten or twelve times. 14:20:59</p> <p style="text-align: right;">Page 13</p>

<p>1 Q And was each of those ten or twelve times 14:21:04</p> <p>2 in preparation for today's deposition?</p> <p>3 A Correct.</p> <p>4 Q And when did you first meet with 5 Mr. Strauss and Mr. Osborn? 14:21:18</p> <p>6 A It was Mr. Osborn. Mr. Strauss hadn't 7 come on the case yet.</p> <p>8 So it was probably, gosh, over two years 9 ago.</p> <p>10 Q And you said you met with them ten or 14:21:36</p> <p>11 twelve times.</p> <p>12 Can you approximate how long each of these 13 meetings was.</p> <p>14 A Some were ten minutes, some were an hour.</p> <p>15 Q In preparing for your deposition today, 14:21:59</p> <p>16 did you review any documents?</p> <p>17 A Yes.</p> <p>18 Q What did you review?</p> <p>19 A The complaint.</p> <p>20 Q And aside from the complaint, did you 14:22:13</p> <p>21 review any other documents?</p> <p>22 A Well, there were four documents I reviewed 23 today and yesterday, but I reviewed the complaint 24 before several times. So I'm not sure how to answer 25 that question. 14:22:33</p> <p style="text-align: right;">Page 14</p>	<p>1 to phrase it as did you speak with anyone about your 14:23:58</p> <p>2 deposition at all, not just whether you spoke with 3 anyone today.</p> <p>4 A No.</p> <p>5 Q And have you spoken with anyone about this 14:24:09</p> <p>6 case in general aside from your attorneys Mr. Osborn 7 and Mr. Strauss?</p> <p>8 A No.</p> <p>9 Q Have you discussed the case at all with 10 your brother, Mark Sessa? 14:24:23</p> <p>11 A Only that there was a case, no details.</p> <p>12 Q And what did you tell your brother?</p> <p>13 A I told him there was a case where the 14 Ancestry.com was using photographs and information 15 obtained illegally without permission. That is 14:24:39</p> <p>16 basically it.</p> <p>17 Q And why did you tell him that?</p> <p>18 A I believe that he was involved in that, 19 also. I didn't -- didn't know if he knew that or 20 not. 14:24:58</p> <p>21 Q And did you tell your brother that you had 22 filed a lawsuit against Ancestry or were planning to 23 do so?</p> <p>24 A No.</p> <p>25 Q Did you give your brother the contact 14:25:09</p> <p style="text-align: right;">Page 16</p>
<p>1 Does that give you an answer? 14:22:34</p> <p>2 Q I think you said you reviewed four 3 documents; is that right?</p> <p>4 A Correct</p> <p>5 Q And what are those four documents? 14:22:41</p> <p>6 A They're different parts of the complaint 7 that were filed</p> <p>8 Q So each of those documents you reviewed 9 were portions of the complaint</p> <p>10 Is that accurate? 14:22:58</p> <p>11 A That's correct</p> <p>12 Q So setting aside the complaint or portions 13 of the complaint, are there any other documents that 14 you reviewed to prepare for today's deposition?</p> <p>15 A No 14:23:13</p> <p>16 Q When you met with Mr. Strauss and 17 Mr. Osborn on various occasions, was anyone else 18 present?</p> <p>19 A Not that I know of</p> <p>20 Q And aside from Mr. Strauss and Mr. Osborn, 14:23:34</p> <p>21 did you speak with anyone about your deposition 22 today?</p> <p>23 A No</p> <p>24 Q And my question now that I am playing it 25 back in my head might have been unclear, but I meant 14:23:53</p> <p style="text-align: right;">Page 15</p>	<p>1 information for any attorneys? 14:25:11</p> <p>2 A No.</p> <p>3 Q Mr. Sessa, can you just briefly tell us 4 your educational background.</p> <p>5 A I graduated high school. 14:25:30</p> <p>6 Q And did you attend any schooling after 7 high school?</p> <p>8 A No.</p> <p>9 Q And what do you do for a living, 10 Mr. Sessa? 14:25:43</p> <p>11 A I am retired.</p> <p>12 Q Congratulations.</p> <p>13 When did you retire?</p> <p>14 A Thank you.</p> <p>15 It was definitely well deserved at this 14:25:52</p> <p>16 point.</p> <p>17 Q And how long ago did you retire?</p> <p>18 A Almost two years. February, it will be 19 two years. I took an early retirement.</p> <p>20 Q And prior to retiring, what was your job? 14:26:09</p> <p>21 A I was slab warehouse manager for Arizona 22 Tile for twenty-one years.</p> <p>23 Q And where do you currently live, 24 Mr. Sessa?</p> <p>25 A I live in New Mexico, Alamogordo, 14:26:27</p> <p style="text-align: right;">Page 17</p>

<p>1 New Mexico 14:26:33</p> <p>2 Q And how long have you lived in New Mexico?</p> <p>3 A Since my retirement, almost two years</p> <p>4 Q So you moved there in around 5 October/November 2020? 14:26:44</p> <p>6 A Actually, I got here in March, first week 7 of March</p> <p>8 Q Of 2020?</p> <p>9 A That's correct</p> <p>10 Q And before you moved to New Mexico, where 14:27:03</p> <p>11 did you live?</p> <p>12 A Las Vegas, Nevada</p> <p>13 Q And how long did you live in Las Vegas, 14 Nevada?</p> <p>15 A My whole life, born and raised 14:27:14</p> <p>16 Q Mr. Sessa, can you tell me your 17 understanding of your claims in this case</p> <p>18 A Yes</p> <p>19 This case is about Ancestry.com using 20 images and information without permission for 14:27:33</p> <p>21 advertising for Ancestry.com</p> <p>22 MR. BAUMANN: So I'm going to pull a 23 document here and I will share my screen</p> <p>24 And Sam, this is the one that I added 25 previously to the Exhibit Share So you should have 14:27:52</p> <p style="text-align: right;">Page 18</p>	<p>1 Sessa, plaintiffs, against Ancestry.com. 14:28:54</p> <p>2 Do you see that?</p> <p>3 A Yes, sir.</p> <p>4 Q Do you recognize this document?</p> <p>5 A Yes. 14:29:00</p> <p>6 Q And what do you understand this document 7 to be?</p> <p>8 A It's a complaint filed against 9 Ancestry.com.</p> <p>10 Q And do you understand this is the 14:29:12</p> <p>11 complaint in your case against Ancestry.com?</p> <p>12 A That is correct.</p> <p>13 Q And did you review this complaint before 14 it was filed?</p> <p>15 A I did. 14:29:27</p> <p>16 Q And did you confirm that the factual 17 allegations contained in this complaint were 18 truthful?</p> <p>19 A That is correct.</p> <p>20 Q And you understood that this complaint 14:29:38</p> <p>21 would be filed on your behalf?</p> <p>22 A Correct.</p> <p>23 Q When did you first learn, Mr. Sessa, that 24 your yearbook records existed on Ancestry's website?</p> <p>25 A Prior to this complaint being filed. 14:29:57</p> <p style="text-align: right;">Page 20</p>
<p>1 it. 14:27:54</p> <p>2 (Deposition Exhibit 1 was marked 3 for identification by the court 4 reporter and is attached hereto.)</p> <p>5 BY MR. BAUMANN: 14:27:54</p> <p>6 Q And Mr. Sessa, can you let me know when 7 you are able to see my screen and if you see a 8 document on there and --</p> <p>9 A I do but I have a question real quick. I 10 still have in the middle of my screen a white box 14:28:08</p> <p>11 that is asking me leave the meeting or got it. So 12 it's -- the document is being blocked, absolutely.</p> <p>13 MR. STRAUSS: Mr. Sessa, press "got it." 14 That is just informing you that is being recorded.</p> <p>15 THE WITNESS: It's gone. 14:28:26</p> <p>16 Like I told you guys, I am not savvy. 17 So yes, sir, I see the document.</p> <p>18 BY MR. BAUMANN:</p> <p>19 Q And I'm going to scroll down a little bit 20 for you, Mr. Sessa, and you see that the document is 14:28:36</p> <p>21 titled class action complaint for violation of 22 Nevada revised statute 597.770.</p> <p>23 Do you see that?</p> <p>24 A Yes, sir.</p> <p>25 Q And on the left, it says Anthony and Mark 14:28:50</p> <p style="text-align: right;">Page 19</p>	<p>1 Q And we will see on this complaint it says 14:30:01</p> <p>2 December 17, 2020.</p> <p>3 So sometime before that; is that right?</p> <p>4 A That's correct.</p> <p>5 Q And do you remember approximately when 14:30:13</p> <p>6 before December 17, 2020, you learned that your 7 yearbook records were on Ancestry's website?</p> <p>8 A I wouldn't be able to tell you a date of 9 when before that.</p> <p>10 Q How did you learn that your records were 14:30:28</p> <p>11 on Ancestry's site?</p> <p>12 A I don't actually remember that, either.</p> <p>13 It's been over two years. So sorry.</p> <p>14 Q That is all right.</p> <p>15 I'm going to stop sharing for just a 14:30:46</p> <p>16 moment.</p> <p>17 So at the time that you learned Ancestry's 18 website has your yearbook records, had you already 19 been in contact with your attorneys?</p> <p>20 A Say that again. Can you say that again, 14:31:09</p> <p>21 please.</p> <p>22 Q Sure.</p> <p>23 I know you don't recall the exact date 24 that you learned that your records were on 25 Ancestry's website, but at that time of when you 14:31:19</p> <p style="text-align: right;">Page 21</p>

<p>1 learned about your yearbook records being on 14:31:23</p> <p>2 Ancestry's website, had you already been in contact 3 with your attorneys?</p> <p>4 A No, that is -- I don't think so, no.</p> <p>5 Q So did you reach out to your attorneys 14:31:38</p> <p>6 after you learned that Ancestry had your yearbook 7 records on its website?</p> <p>8 A I'm not sure. I don't know how to answer 9 that question. Sorry.</p> <p>10 Q Do you recall when you engaged your 14:32:01</p> <p>11 attorneys to file this lawsuit on your behalf?</p> <p>12 A It was before December 17 of 2020.</p> <p>13 Q Do you recall when before December 17, 14 2020?</p> <p>15 A No, no, I do not recall when. 14:32:23</p> <p>16 MR. STRAUSS: Jack, may I interrupt you 17 for a moment.</p> <p>18 THE WITNESS: Of course.</p> <p>19 MR. STRAUSS: I just wanted to remind you 20 to, please, wait for Mr. Baumann to completely 14:32:33</p> <p>21 finish asking his question before you begin to 22 respond.</p> <p>23 And I think one lovely side effect of this 24 remote deposition is I think it's a little bit 25 delayed for me. So if you could just wait one 14:32:47 Page 22</p>	<p>1 Q And I will tell you to take a pause after 14:34:06</p> <p>2 this next question because I know what Sam's 3 response is going to be and I want to give him the 4 opportunity to make that response, but did you place 5 any restrictions on what your counsel could do in 14:34:18</p> <p>6 investigating your claims?</p> <p>7 MR. STRAUSS: I am going to advise you, 8 Mr. Sessa, not to answer.</p> <p>9 And thank you, Mr. Baumann, and I'm going 10 to advise you to not answer, Mr. Sessa, based on the 14:34:29</p> <p>11 attorney-client privilege.</p> <p>12 MR. BAUMANN: And, Sam, no need to rehash 13 it. I think we disagree on that point but no point 14 arguing about it here.</p> <p>15 MR. STRAUSS: Agreed. That is fair. 14:34:46</p> <p>16 BY MR. BAUMANN:</p> <p>17 Q Mr. Sessa, when you found out your records 18 were on Ancestry's website, what did you do?</p> <p>19 A I told my counsel to proceed.</p> <p>20 MR. STRAUSS: So and I'm going to advise 14:35:10</p> <p>21 you, Mr. Sessa, not to share any communication that 22 you had with your attorneys at any point and I know 23 that that is a little bit confusing sometimes, but 24 as a reminder, any conversation that you had with 25 any attorney in this matter, I am going to advise 14:35:26 Page 24</p>
<p>1 second for Mr. Baumann to completely finish his 14:32:50</p> <p>2 question, I would be so appreciative.</p> <p>3 THE WITNESS: Okay. Sorry.</p> <p>4 MR. STRAUSS: No problem.</p> <p>5 BY MR. BAUMANN: 14:32:58</p> <p>6 Q When you hired counsel in this case, did 7 you authorize them to investigate whether your 8 yearbook records were on Ancestry's website?</p> <p>9 MR. STRAUSS: I'm going to object to the 10 form. 14:33:13</p> <p>11 Actually, I'm going to object to the 12 question based on attorney-client privilege and 13 advise Mr. Baumann not to answer -- I'm so sorry, 14 not Mr. Baumann -- advise Mr. Sessa not to answer. 15 Wow. 14:33:23</p> <p>16 BY MR. BAUMANN:</p> <p>17 Q Did you have an understanding, Mr. Sessa, 18 when you engaged counsel to bring the complaint 19 against Ancestry whether they would investigate 20 whether your yearbooks were on Ancestry's website? 14:33:36</p> <p>21 A Yeah.</p> <p>22 Q And is that something that you expected 23 they would do, is check on Ancestry's website to see 24 whether your yearbook records were on it?</p> <p>25 A Yes. 14:33:56 Page 23</p>	<p>1 you not to disclose the content of the communication 14:35:30</p> <p>2 based on the attorney-client privilege.</p> <p>3 THE WITNESS: Why don't you tell that to 4 Jack so he won't ask that question of me again.</p> <p>5 MR. STRAUSS: Unfortunately, Mr. Baumann 14:35:44</p> <p>6 is allowed to ask any questions he likes and it's 7 our job to make sure that we don't wade into those 8 waters, but I know that that is also not 9 Mr. Baumann's fault. He is not seeking 10 attorney-client privileged communication but let's 14:36:00</p> <p>11 do our best to avoid disclosing any of our 12 communications.</p> <p>13 BY MR. BAUMANN:</p> <p>14 Q And correct, Sam is right, Mr. Sessa. I'm 15 not trying to ask you here today about any 14:36:10</p> <p>16 attorney-client communications between you and your 17 lawyer.</p> <p>18 So moving back to that question, aside 19 from any discussions that you had with your lawyers, 20 what did you do when you found out your yearbook 14:36:24</p> <p>21 records were on Ancestry's website?</p> <p>22 A I don't recall.</p> <p>23 Q What was your reaction when you found out 24 your yearbook records were on Ancestry's website?</p> <p>25 A I wasn't happy about it. 14:36:45 Page 25</p>



<p>1 Q And why was that? 14:36:47</p> <p>2 A Because they didn't ask permission from me 3 to have my photograph or information or anything 4 else to be on their website</p> <p>5 Q And Mr Sessa, did you incur any 14:37:05</p> <p>6 out-of-pocket expenses as a result of finding out 7 your yearbook records were on Ancestry's website?</p> <p>8 A No</p> <p>9 Q You didn't pay anyone to try to have them 10 taken down? 14:37:25</p> <p>11 A No</p> <p>12 MR STRAUSS: Object to the form of the 13 question</p> <p>14 You may answer it, Mr Sessa</p> <p>15 THE WITNESS: I already did, right? 14:37:36</p> <p>16 BY MR BAUMANN:</p> <p>17 Q You didn't incur any medical expenses or 18 anything like that as a result of finding out your 19 records were on Ancestry's website; is that correct?</p> <p>20 A That's correct 14:37:53</p> <p>21 Q Mr Sessa, what is it that you hope to get 22 out of this lawsuit?</p> <p>23 A The maximum by law for using my 24 information without my permission</p> <p>25 Q And do you have an understanding of what 14:38:15 Page 26</p>	<p>1 A I wouldn't know how to do that 14:39:42</p> <p>2 Q You never looked on Ancestry's site to see 3 if there was a way to do that?</p> <p>4 A No</p> <p>5 Q So Mr Sessa, taking sort of a step back 14:40:00</p> <p>6 in time, where did you go to high school?</p> <p>7 A Western High School, Las Vegas, Nevada</p> <p>8 Q And was that the only high school you 9 attended?</p> <p>10 A That's correct 14:40:13</p> <p>11 Q And how long did you attend Western High 12 School?</p> <p>13 A Three years</p> <p>14 Q And when did you attend Western High 15 School? 14:40:25</p> <p>16 A I graduated in '77, so '74 to '77 That 17 sounds right</p> <p>18 Q Did you get a yearbook each year that you 19 were in high school?</p> <p>20 A I believe I did, yes 14:40:44</p> <p>21 Q And do you recall who was responsible for 22 compiling those yearbooks at your high school?</p> <p>23 A I don't know who was responsible</p> <p>24 Q Was there like a yearbook club or a 25 committee or anything like that that you had recall? 14:41:05 Page 28</p>
<p>1 that would be? 14:38:19</p> <p>2 A No, I do not.</p> <p>3 Q Is removal of your yearbook records from 4 Ancestry's website something that you are seeking?</p> <p>5 A Yes. 14:38:28</p> <p>6 Q Have you ever checked to see whether you 7 could ask Ancestry to remove your records from its 8 website?</p> <p>9 A No.</p> <p>10 Q I take it then that you never asked 14:38:43</p> <p>11 Ancestry to take your yearbook record down?</p> <p>12 A No.</p> <p>13 Q And why didn't you do that?</p> <p>14 A It's not my obligation to do that. They 15 shouldn't have taken the information to begin with. 14:39:01</p> <p>16 Q You said one of your goals in filing this 17 lawsuit is to get the information removed from 18 Ancestry's website, right?</p> <p>19 A Correct.</p> <p>20 Q And you took on the obligation of filing a 14:39:24</p> <p>21 lawsuit to get those records removed, right?</p> <p>22 A Correct.</p> <p>23 Q So what I'm now trying to understand is 24 why you didn't just ask Ancestry to take the records 25 down. 14:39:41 Page 27</p>	<p>1 A I am sure there was but I wasn't involved 14:41:07</p> <p>2 in it.</p> <p>3 Q I take it then you don't have the names of 4 anybody who was involved in putting together those 5 yearbooks. 14:41:19</p> <p>6 A No, I do not.</p> <p>7 Q At your high school, did students have to 8 pay to receive a copy of their yearbooks?</p> <p>9 A Yes.</p> <p>10 Q And do you know why that was? 14:41:31</p> <p>11 A The cost of the material and putting it 12 together, I am assuming.</p> <p>13 MR. BAUMANN: We had a belated objection.</p> <p>14 MR. STRAUSS: Mr. Sessa, I'm going to ask 15 you again to, please, wait until after Mr. Baumann 14:41:46</p> <p>16 completes asking the question.</p> <p>17 THE WITNESS: Okay.</p> <p>18 MR. STRAUSS: I know it's very -- seems 19 simple but it really hard so -- but I'm going to ask 20 you to engage in this sort of contrived 14:42:00</p> <p>21 communication.</p> <p>22 THE WITNESS: It's getting funner every 23 minute.</p> <p>24 BY MR. BAUMANN:</p> <p>25 Q Mr. Sessa, yearbook sometimes offer ad 14:42:17 Page 29</p>

<p>1 space to local businesses, right? 14:42:19</p> <p>2 A I don't know</p> <p>3 Q Do you recall whether your high school 4 yearbooks had any ad space for local businesses to 5 advertise on? 14:42:33</p> <p>6 A I don't recall</p> <p>7 Q Did you ever purchase any of the yearbooks 8 that your high school distributed?</p> <p>9 A Yes</p> <p>10 Q Did you do that for each year that you 14:42:51</p> <p>11 were in high school?</p> <p>12 A I think so</p> <p>13 Q And why did you purchase your yearbooks?</p> <p>14 A To have memories, I guess</p> <p>15 Q Can you think of any other reasons you 14:43:19</p> <p>16 might have purchased it?</p> <p>17 A No</p> <p>18 Q Did you ever object that your high school 19 was selling copies of the yearbook in which you 20 appeared? 14:43:38</p> <p>21 MR. STRAUSS: Object to the form of the 22 question</p> <p>23 You may answer it You may answer, 24 Mr Sessa</p> <p>25 THE WITNESS: I'm sorry, say the question 14:43:51 Page 30</p>	<p>1 A I kept them 14:45:30</p> <p>2 Q Did you share them with any of your 3 classmates?</p> <p>4 A It's tradition to sign in the back of the 5 yearbook something for the following -- for that 14:45:41</p> <p>6 year and/or the following year</p> <p>7 So is that what you are asking me?</p> <p>8 Q Yeah, sure</p> <p>9 I mean I'm asking in general what did you 10 do with the yearbooks 14:45:54</p> <p>11 So it sounds like you had your friends 12 sign your yearbook; is that right?</p> <p>13 A That's correct</p> <p>14 Q And did you sign your friends' yearbooks, 15 as well? 14:46:05</p> <p>16 A Well, I did</p> <p>17 Q And did you ever show your yearbooks to 18 other people who hadn't attended school with you?</p> <p>19 A No</p> <p>20 Q You didn't share them with your parents or 14:46:19</p> <p>21 anything like that?</p> <p>22 A Oh, well, yeah, my parents That would 23 have been it</p> <p>24 Q What about any -- would you have shared 25 them with any friends who maybe went to different 14:46:30 Page 32</p>
<p>1 again. 14:43:53</p> <p>2 BY MR. BAUMANN:</p> <p>3 Q Of course.</p> <p>4 Did you ever object that your high school 5 was selling copies of yearbooks in which you 14:43:56</p> <p>6 appeared?</p> <p>7 A No.</p> <p>8 Q Do you have an understanding of the reason 9 that high schools give out yearbooks at the end of 10 each school year? 14:44:12</p> <p>11 A Do I have an understanding of that? Well, 12 so students can have something to take away to their 13 next year, memories.</p> <p>14 Didn't I already answer that question?</p> <p>15 Q Not yet but now you have. 14:44:30</p> <p>16 What types of information did your high 17 school yearbooks include about you?</p> <p>18 A My photograph, my name, and what class I 19 was in. Basically, I believe that is all.</p> <p>20 Q And you understood that others who 14:45:02</p> <p>21 received the yearbooks would see the information 22 about you that was published in those books, right?</p> <p>23 A Yes.</p> <p>24 Q What did you do with your yearbooks when 25 you received them from your high school? 14:45:22 Page 31</p>	<p>1 schools? 14:46:33</p> <p>2 A No, we didn't associate that way.</p> <p>3 Everybody stayed in their own neighborhood. You 4 know what I mean?</p> <p>5 Q And then other students at your high 14:46:42</p> <p>6 school received copies of the yearbooks in each 7 year, right?</p> <p>8 A I would assume.</p> <p>9 Q Do you know what your classmates did with 10 their yearbooks after they got them? 14:46:57</p> <p>11 A I have no idea.</p> <p>12 MR. STRAUSS: Objection to form.</p> <p>13 You may answer the question.</p> <p>14 BY MR. BAUMANN:</p> <p>15 Q I'm sorry, Mr. Sessa. I didn't catch your 14:47:06</p> <p>16 answer.</p> <p>17 A I have no idea.</p> <p>18 Q Did you try to put any sort of restriction 19 on what your classmates could do with their copies 20 of the yearbooks? 14:47:19</p> <p>21 MR. STRAUSS: Objection; form.</p> <p>22 You may answer it.</p> <p>23 THE WITNESS: No.</p> <p>24 BY MR. BAUMANN:</p> <p>25 Q And their copies of the yearbooks would 14:47:27 Page 33</p>

<p>1 have included pictures of you, right? 14:47:29</p> <p>2 A Yes.</p> <p>3 Q Do you know whether your classmates who 4 got copies of your high school yearbooks shared them 5 with other people? 14:47:45</p> <p>6 A I don't know.</p> <p>7 Q Do you know whether your classmates who 8 received copies of the high school yearbooks still 9 have their yearbook?</p> <p>10 A I don't know. 14:48:03</p> <p>11 Q If folks from your high school still had 12 copies of their yearbooks, they would be able to 13 share them with other people, right?</p> <p>14 MR. STRAUSS: Object to the form of the 15 question. 14:48:17</p> <p>16 You may answer it.</p> <p>17 THE WITNESS: I guess, yeah.</p> <p>18 BY MR. BAUMANN:</p> <p>19 Q And that is something you understand that 20 people will do, show their old yearbooks to their 14:48:28</p> <p>21 friends or family; is that right?</p> <p>22 MR. STRAUSS: Object to form.</p> <p>23 You may answer it.</p> <p>24 THE WITNESS: Yes.</p> <p>25</p> <p style="text-align: right;">Page 34</p>	<p>1 A I don't know that. 14:50:14</p> <p>2 Q Do you know whether the local library for 3 where your old high school is has copies of your 4 high school's yearbooks?</p> <p>5 A No. 14:50:28</p> <p>6 Q You have never checked to see whether they 7 do?</p> <p>8 A No.</p> <p>9 Q Are you generally aware that libraries 10 sometimes make available copies of yearbooks? 14:50:42</p> <p>11 MR. STRAUSS: Object to form. 12 You may answer it.</p> <p>13 THE WITNESS: I guess.</p> <p>14 BY MR. BAUMANN:</p> <p>15 Q Do you know whether your old high school 14:50:53</p> <p>16 keeps copies of your yearbooks?</p> <p>17 A I don't know that.</p> <p>18 Q And where are your copies of your old high 19 school yearbooks?</p> <p>20 A I don't have any yearbooks at all. 14:51:16</p> <p>21 Q What did you do with them?</p> <p>22 A I lost them in moving time and time again 23 as a younger person. So I honestly have no idea 24 where they are.</p> <p>25 Q Have you ever tried to sell or license 14:51:33</p> <p style="text-align: right;">Page 36</p>
<p>1 BY MR. BAUMANN: 14:48:35</p> <p>2 Q Did any of your family members, like your 3 parents, save yearbooks from their high schools?</p> <p>4 A I'm not sure. I would have to say no, I 5 don't know that to be true. 14:49:00</p> <p>6 Q And do you know whether any of your 7 classmates from high school have given away their 8 copies of their yearbook?</p> <p>9 A I don't know.</p> <p>10 Q You have never checked? 14:49:15</p> <p>11 A No.</p> <p>12 Q Do you know whether any of your classmates 13 from high school might have donated their yearbooks?</p> <p>14 A Who would they have donated them to? 15 No, I don't know that. 14:49:41</p> <p>16 Q Well, for example, do you know whether any 17 of your high school classmates have donated their 18 yearbook to a government archive?</p> <p>19 A No.</p> <p>20 Q Have you never checked to see whether that 14:49:55</p> <p>21 occurred?</p> <p>22 A No.</p> <p>23 Q What about a library, do you know whether 24 any of your high school classmates might have 25 donated their copies of the yearbooks to a library? 14:50:09</p> <p style="text-align: right;">Page 35</p>	<p>1 your old yearbooks? 14:51:35</p> <p>2 A No</p> <p>3 Q Why not?</p> <p>4 A Why? I don't understand that question I 5 answered no; you asked me why not 14:51:49</p> <p>6 It doesn't have any value at that point, 7 right?</p> <p>8 Q And I take it then from your answer you 9 don't have any plans to sell your yearbooks?</p> <p>10 A No, I don't have any plans to sell a 14:52:11</p> <p>11 yearbook</p> <p>12 Q Do you know whether someone would be 13 willing to buy your yearbook from you if you wanted 14 to sell it?</p> <p>15 A I don't know 14:52:28</p> <p>16 Q And I assume the same is true, but I will 17 ask you, nonetheless, what about the individual 18 pages of your high school yearbook in which you 19 appeared, have you ever tried to sell or license 20 those? 14:52:47</p> <p>21 A No</p> <p>22 Q And do you have any plans to try to sell 23 or license the yearbook pages on which you appeared?</p> <p>24 A No</p> <p>25 Q Do you know whether anyone has ever been 14:52:59</p> <p style="text-align: right;">Page 37</p>

<p>1 willing to pay you for the pages of the yearbook on 14:53:03</p> <p>2 which you appear?</p> <p>3 MR. STRAUSS: Object to form.</p> <p>4 You may answer.</p> <p>5 THE WITNESS: I don't know. 14:53:10</p> <p>6 BY MR. BAUMANN:</p> <p>7 Q Let's assume, Mr. Sessa, that you still 8 had your old copies of your high school yearbooks. 9 If you wanted to scan those pages and 10 create a website and put the scanned images on your 14:53:26</p> <p>11 website, is that something you could do if you still 12 had your high school yearbooks?</p> <p>13 MR. STRAUSS: Object to the form of the 14 question.</p> <p>15 You may answer it. 14:53:38</p> <p>16 THE WITNESS: I guess.</p> <p>17 BY MR. BAUMANN:</p> <p>18 Q There would be nothing stopping you from 19 doing whatever you wanted if you still had the 20 copies of your high school yearbooks with those 14:53:48</p> <p>21 records, right?</p> <p>22 MR. STRAUSS: Object to the form of the 23 question.</p> <p>24 You may answer it.</p> <p>25 THE WITNESS: I guess as long as I only 14:53:56 Page 38</p>	<p>1 willing to pay you for use of your name? 14:54:54</p> <p>2 MR STRAUSS: Object to the form, object 3 to the form of the question</p> <p>4 You may answer it</p> <p>5 THE WITNESS: Ask the question again, 14:55:04</p> <p>6 please</p> <p>7 BY MR. BAUMANN:</p> <p>8 Q Sure</p> <p>9 Do you know whether anyone has ever been 10 willing to pay you for use of your name? 14:55:09</p> <p>11 A No</p> <p>12 MR STRAUSS: Same objections</p> <p>13 You may answer</p> <p>14 BY MR. BAUMANN:</p> <p>15 Q Have you ever tried to sell or license a 14:55:17</p> <p>16 photograph or other image of yourself?</p> <p>17 A No</p> <p>18 Q Has anyone ever paid you for a photograph 19 or other image depicting you?</p> <p>20 A No 14:55:34</p> <p>21 Q Do you have any plans to try to sell or 22 license any photographs or images of yourself?</p> <p>23 A No</p> <p>24 Q Do you know whether anyone has ever been 25 willing to pay you for a photograph or other image 14:55:51 Page 40</p>
<p>1 used my photograph and my information It would be 14:53:59</p> <p>2 a website</p> <p>3 Is that the scenario you are trying to 4 draw up?</p> <p>5 BY MR. BAUMANN: 14:54:09</p> <p>6 Q Correct</p> <p>7 So there would be nothing stopping you 8 from doing that as long as you had the records?</p> <p>9 MR STRAUSS: Same objection</p> <p>10 You may answer it, Mr Sessa 14:54:17</p> <p>11 THE WITNESS: Correct</p> <p>12 BY MR. BAUMANN:</p> <p>13 Q So looking past the yearbooks, have you 14 ever tried to sell or license your name?</p> <p>15 MR STRAUSS: Object to the form of the 14:54:27</p> <p>16 question</p> <p>17 You may answer it</p> <p>18 THE WITNESS: No</p> <p>19 BY MR. BAUMANN:</p> <p>20 Q Has anyone ever paid you to use your name? 14:54:32</p> <p>21 A No</p> <p>22 Q Do you have any plans to try to sell or 23 license your name?</p> <p>24 A No</p> <p>25 Q Do you know whether anyone has ever been 14:54:51 Page 39</p>	<p>1 of yourself? 14:55:54</p> <p>2 MR STRAUSS: Object to the form of the 3 question</p> <p>4 You may answer</p> <p>5 THE WITNESS: No 14:55:59</p> <p>6 MR BAUMANN: I want to pull up another 7 document here, Mr Sessa, and I am going to mark 8 Exhibit 2, and I will put this in the Exhibit Share 9 (Deposition Exhibit 2 was marked 10 for identification by the court 14:56:12</p> <p>11 reporter and is attached hereto )</p> <p>12 MR BAUMANN: And then Sam, if you can let 13 me know once you have it, I will share my screen 14 with Mr Sessa</p> <p>15 MR STRAUSS: You can share away 14:56:22</p> <p>16 MR BAUMANN: Great</p> <p>17 Do you have, Sam, Exhibit 2 in your share 18 folder? I just put it in there</p> <p>19 MR STRAUSS: I do now, yes</p> <p>20 BY MR. BAUMANN: 14:56:40</p> <p>21 Q And Mr Sessa, can you let me know when 22 you are able to see a document on my screen</p> <p>23 Are you able to see that, Mr Sessa?</p> <p>24 A Yes</p> <p>25 Q And I can zoom in as much as you would 14:56:51 Page 41</p>

<p>1 like me to or scroll around. So just let me know, 14:56:55</p> <p>2 you know, once it's in adequate focus for you.</p> <p>3 A That is about as good as it's going to</p> <p>4 get, so what . . .</p> <p>5 Q So you see this document on this screen. 14:57:15</p> <p>6 Are you able to see a document with the</p> <p>7 title at the top "All School Lists &amp; Yearbooks</p> <p>8 Results for tony sessa"?</p> <p>9 A Yes.</p> <p>10 Q Great. 14:57:26</p> <p>11 And do you recognize this document?</p> <p>12 A No.</p> <p>13 Q Have you ever tried -- sorry, I did not</p> <p>14 mean to cut you off.</p> <p>15 A Okay. Go ahead. 14:57:40</p> <p>16 Q My question was whether you recognize this</p> <p>17 document.</p> <p>18 A I am not sure. I don't think so.</p> <p>19 Q Have you ever tried searching Ancestry's</p> <p>20 website for your name? 14:57:59</p> <p>21 A No.</p> <p>22 Q I will represent to you, Mr. Sessa, that</p> <p>23 this is a screenshot of Ancestry's website when</p> <p>24 searching the name "Tony Sessa" in the school list</p> <p>25 and yearbook collection. 14:58:18</p> <p style="text-align: right;">Page 42</p>	<p>1 have an understanding of what that refers to where 14:59:37</p> <p>2 it says results 1 through 20?</p> <p>3 A So I guess to answer your question, I</p> <p>4 don't have an understanding of what that means.</p> <p>5 MR. STRAUSS: And Mr. Sessa, I'm not going 14:59:49</p> <p>6 to make an objection for every question regarding</p> <p>7 this exhibit but, you know, I think that all of</p> <p>8 these questions are improper, you know. So it's</p> <p>9 just a standard objection to form.</p> <p>10 Mr. Sessa has already testified that he 15:00:04</p> <p>11 has not regarding his use of the Ancestry.com site.</p> <p>12 So again, I won't make an objection for</p> <p>13 each question as long as you are okay with that</p> <p>14 understanding that it's a blanket objection for all</p> <p>15 of these questions. 15:00:17</p> <p>16 MR. BAUMANN: Sure, on the grounds that</p> <p>17 Mr. Sessa said that he hasn't previously seen this</p> <p>18 web page; is that correct?</p> <p>19 MR. STRAUSS: Yes, I visited the site. So</p> <p>20 I think there is no foundation to ask, you know, him 15:00:28</p> <p>21 about the functionality or use of this site, but</p> <p>22 yes, that is the ground.</p> <p>23 BY MR. BAUMANN:</p> <p>24 Q So Mr. Sessa, if we scroll back up to the</p> <p>25 top here -- and I'm going to zoom in a little bit 15:00:37</p> <p style="text-align: right;">Page 44</p>
<p>1 Do you have any reason to believe that 14:58:22</p> <p>2 this is not a printout of that web page?</p> <p>3 A No, if you say so.</p> <p>4 Q And if we look at the top of the document</p> <p>5 below the title, we see that it says 1 through 20 of 14:58:37</p> <p>6 3411.</p> <p>7 Do you have an understanding of what that</p> <p>8 means?</p> <p>9 A No, my goodness, no. Can you explain that</p> <p>10 to me. 14:58:54</p> <p>11 Q Well, maybe it'll help if we scroll down</p> <p>12 to the bottom of this -- of the last page, and I</p> <p>13 will scroll for you and we will see down at the</p> <p>14 bottom it says results 1 through 20 of 3411.</p> <p>15 Do you see that? 14:59:09</p> <p>16 A Yes.</p> <p>17 Q And do you have any understanding of what</p> <p>18 that means?</p> <p>19 A I guess it's twenty pages with my name</p> <p>20 associated with it. 14:59:20</p> <p>21 1 through 20, would that mean pages 1</p> <p>22 through 20? It says of 3411.</p> <p>23 Are you telling me there is 3411 pages</p> <p>24 with my name on it?</p> <p>25 Q I was just asking you, Mr. Sessa, did you 14:59:35</p> <p style="text-align: right;">Page 43</p>	<p>1 and -- in this first row here, do you see a blue 15:00:43</p> <p>2 text that says "U.S., School Yearbooks, 1900-2016"?</p> <p>3 A Yes.</p> <p>4 Q And then to the right of that, do you see</p> <p>5 the name "Tony Sessa"? 15:01:02</p> <p>6 A Yes.</p> <p>7 Q And then below that you see "Nevada, USA"?</p> <p>8 A Yes.</p> <p>9 Q And do you know whether this entry relates</p> <p>10 to one of your yearbook records? 15:01:17</p> <p>11 A I don't know.</p> <p>12 Q There might be other people named Tony</p> <p>13 Sessa who attended high school in Nevada, right?</p> <p>14 A There could be. That's correct.</p> <p>15 Q So I will take this exhibit down for a 15:01:36</p> <p>16 minute.</p> <p>17 And I believe you said you reviewed the</p> <p>18 complaint in this case, right? That is the one we</p> <p>19 were looking at as Exhibit 1.</p> <p>20 A Yes. 15:01:49</p> <p>21 Q I'm going to pull that document up again</p> <p>22 and share my screen with you.</p> <p>23 Are you able to see that, Mr. Sessa?</p> <p>24 A Yes.</p> <p>25 Q And I want to scroll down here to 15:02:06</p> <p style="text-align: right;">Page 45</p>

<p>1 paragraph 30 in your complaint. So I want to 15:02:10</p> <p>2 direct your attention.</p> <p>3 Mr. Sessa, are you able to see</p> <p>4 paragraph 30 on your screen?</p> <p>5 A Yes. 15:02:27</p> <p>6 Q And as I understand what you have alleged 7 here in paragraph 30 is that users who hover over a 8 record on the search results page will see a pop-up 9 with a low-resolution version of the underlying 10 record. 15:02:47</p> <p>11 Am I correct that that is an allegation 12 that you have made?</p> <p>13 A I guess, yeah. I am not sure -- I don't 14 understand the question, actually.</p> <p>15 Can you rephrase the question, please. 15:03:04</p> <p>16 Q Sure, of course. 17 So you say here, 18 "Users who hover over the 'View 19 Record' link corresponding to each 20 record receive a promotional pop-up 15:03:16</p> <p>21 advisement from Ancestry displaying 22 Anthony Sessa's name, a 23 low-resolution of his photograph, 24 and a message indicating 'There's 25 more to see.'" 15:03:29</p> <p style="text-align: right;">Page 46</p>	<p>1 Q Understood. 15:05:02</p> <p>2 So I will represent to you, Mr. Sessa, 3 that this is a screenshot of the search results for 4 Tony Sessa in the school lists and yearbook 5 collection on Ancestry's website. 15:05:12</p> <p>6 And do you have any reason to believe this 7 isn't a screenshot of that web page?</p> <p>8 A No. If you say it is, I believe you.</p> <p>9 Q And we were just looking at a page 10 previously of Exhibit 2 that contains search results 15:05:27</p> <p>11 for Tony Sessa in the school's yearbook database, 12 correct?</p> <p>13 A Correct.</p> <p>14 Q So if we look to the right of the screen 15 here, we see a pop-up bubble. 15:05:41</p> <p>16 And I don't know if you see my 17 highlighting --</p> <p>18 A Yes.</p> <p>19 Q -- but I am trying to direct your 20 attention. 15:05:53</p> <p>21 Do you see that?</p> <p>22 A Yes, I see the pop-up.</p> <p>23 Q And is that the type of pop-up that you 24 were referencing in your complaint which we were 25 just looking at? 15:06:02</p> <p style="text-align: right;">Page 48</p>
<p>1 Do you see that? 15:03:31</p> <p>2 A Yes, I do</p> <p>3 Q So I'm trying to understand your 4 allegations here</p> <p>5 And is it correct that you are alleging 15:03:36</p> <p>6 when a user gets search results on Ancestry's site, 7 they can hover over those search results and get a 8 pop-up with this information that you have listed 9 here in paragraph 30?</p> <p>10 A Correct 15:03:51</p> <p>11 Q So now I want to take this down and I want 12 to look at another document</p> <p>13 And Sam, I will add it to the Exhibit</p> <p>14 Share folder, and Mr. Sessa, I will share my screen 15 with you 15:04:22</p> <p>16 (Deposition Exhibit 3 was marked 17 for identification by the court 18 reporter and is attached hereto )</p> <p>19 BY MR. BAUMANN:</p> <p>20 Q Mr. Sessa, are you able to see a document 15:04:31</p> <p>21 on my screen -- sorry -- on your screen?</p> <p>22 A Yeah, I can see that</p> <p>23 Q And do you recognize this document?</p> <p>24 A No I haven't been on the Ancestry com 25 website, so how would I know this document 15:04:58</p> <p style="text-align: right;">Page 47</p>	<p>1 A Yes. 15:06:04</p> <p>2 Q And if we look at the top of this pop-up, 3 we see that it says Tony Sessa, right?</p> <p>4 A That's correct.</p> <p>5 Q And then down below that it says, 15:06:15</p> <p>6 "There's more to see. A picture of 7 the original document." 8 Do you see that?</p> <p>9 A Yes.</p> <p>10 Q And then below that is an image. 15:06:22</p> <p>11 Do you know what that image is, and I can 12 zoom in, Mr. Sessa?</p> <p>13 A It looks like a class photo. Is that -- 14 or it may be just -- I can't -- it's a bunch of 15 pictures. That's all I can tell. 15:06:43</p> <p>16 Q Are you able to identify yourself in any 17 of the pictures in this image on Exhibit 3?</p> <p>18 A Do you want to blow it up so I can see it?</p> <p>19 Is that what you are asking me to do?</p> <p>20 Q Sure. I can blow it up as much as you 15:07:04</p> <p>21 want.</p> <p>22 A Sure. Go ahead. Let's blow it up. Let's 23 see if I see myself.</p> <p>24 Q Sure. Just tell me when to stop zooming.</p> <p>25 A Well, now you have pixilated them so I 15:07:15</p> <p style="text-align: right;">Page 49</p>

<p>1 can't see them. 15:07:18</p> <p>2 Q So --</p> <p>3 A The answer to that question -- the answer 4 to that question, Jack, is no.</p> <p>5 Q So no, you are not able to identify 15:07:30</p> <p>6 yourself in any of the pictures in this image?</p> <p>7 A I can't identify anybody in those images.</p> <p>8 Q Do you know whether this is an image of 9 one of the yearbook records on which you appear?</p> <p>10 A I have no idea. 15:07:45</p> <p>11 MR. BAUMANN: I'm going to take this one 12 down and I am going to pull up another exhibit.</p> <p>13 THE WITNESS: Jack, can we take a couple 14 of minutes.</p> <p>15 MR. BAUMANN: Any time you need it. 15:08:00</p> <p>16 MR. STRAUSS: So can we go off the record. 17 THE VIDEOGRAPHER: Going off the record. 18 The time is 3:08 p m. 19 (Off the record.) 20 THE VIDEOGRAPHER: Back on the record. 15:25:13</p> <p>21 The time is 3:25 p m. 22 (Deposition Exhibit 4 was marked 23 for identification by the court 24 reporter and is attached hereto.) 25</p> <p style="text-align: right;">Page 50</p>	<p>1 Q And then to the right of that we see 15:26:20</p> <p>2 another what I will call pop-up here that I am 3 highlighting with my mouse.</p> <p>4 Do you see that?</p> <p>5 A Yes. 15:26:30</p> <p>6 Q And then is that the type of pop-up -- 7 hover-over pop-up that you were referencing in your 8 complaint which we looked at before the break?</p> <p>9 A Yes.</p> <p>10 Q And I will represent to you, Mr. Sessa, 15:26:45</p> <p>11 that this is another screenshot of Ancestry's 12 website.</p> <p>13 And if we look at the pop-up that we were 14 looking at just a moment ago, you see that it says 15 "Anthony Sessa" at the top. 15:27:00</p> <p>16 A Yes.</p> <p>17 Q And then below that it says, 18 "There's more to see. A picture of 19 the original document." 20 Do you see that? 15:27:08</p> <p>21 A Yes.</p> <p>22 Q And then below that is an image. 23 Do you know what that image is?</p> <p>24 A I am assuming it's photographs. I can't 25 see it very well. 15:27:21</p> <p style="text-align: right;">Page 52</p>
<p>1 BY MR. BAUMANN: 15:25:18</p> <p>2 Q Welcome back, Mr. Sessa.</p> <p>3 I want to share with you another exhibit 4 which has been marked as Exhibit 4 and Sam 5 efficiently added to the Exhibit Share when we were 15:25:29</p> <p>6 on break.</p> <p>7 MR. STRAUSS: All right.</p> <p>8 BY MR. BAUMANN:</p> <p>9 Q Mr. Sessa, if you can let me know when you 10 can see my screen. 15:25:38</p> <p>11 A I see it.</p> <p>12 Q And I can zoom in as much as you need. 13 Are you able to see this document, 14 Mr. Sessa?</p> <p>15 A Yes. 15:25:50</p> <p>16 Q And do you recognize this document?</p> <p>17 A No.</p> <p>18 Q At the top of the page here, we see an 19 Ancestry URL bar, correct?</p> <p>20 A Yes. 15:26:08</p> <p>21 Q And then if we look over to the right, we 22 see the first row here says "U.S. School Yearbooks, 23 1900-2016." 24 Do you see that?</p> <p>25 A Yes. 15:26:20</p> <p style="text-align: right;">Page 51</p>	<p>1 Q And I can zoom in farther on this if that 15:27:22</p> <p>2 helps.</p> <p>3 A Yeah, it's photographs.</p> <p>4 Q And are you able to identify yourself in 5 this image, Mr. Sessa? 15:27:42</p> <p>6 A No.</p> <p>7 Q Do you know whether this is an image of 8 one of the yearbook records in which you appear?</p> <p>9 A I don't know.</p> <p>10 MR. BAUMANN: I'm going to take this down 15:27:59</p> <p>11 and I want to mark now Exhibit 5 which I will add to 12 our Exhibit Share link.</p> <p>13 (Deposition Exhibit 5 was marked 14 for identification by the court 15 reporter and is attached hereto.) 15:28:12</p> <p>16 MR. BAUMANN: And Sam, let me know once 17 you have that.</p> <p>18 MR. STRAUSS: You can go ahead and do the 19 screen share.</p> <p>20 BY MR. BAUMANN: 15:28:37</p> <p>21 Q Mr. Sessa, this Exhibit 5 is a document 22 with the Ancestry Bates stamp 00000259. 23 Do you recognize this document, Mr. Sessa?</p> <p>24 A I don't know.</p> <p>25 Yes, yes, I recognize this document. 15:29:02</p> <p style="text-align: right;">Page 53</p>



<p>1 Q And what is it? 15:29:05</p> <p>2 A It's a school class picture.</p> <p>3 Q And do you know whether this is the image 4 that appeared in one of the thumbnail pop-ups we 5 were looking at in Exhibit 3 or 4? 15:29:22</p> <p>6 A I don't know.</p> <p>7 Q And looking at Exhibit 5, do you appear on 8 this page?</p> <p>9 A I have a question. Is this Exhibit 5?</p> <p>10 Q Yes. 15:29:39</p> <p>11 A Yes.</p> <p>12 Q And I will direct your attention down to 13 the fourth row, the first person, is that you, 14 Mr. Sessa?</p> <p>15 A It is. 15:29:53</p> <p>16 Q And we see next to you a student named 17 Debbie Sharp.</p> <p>18 Do you see that?</p> <p>19 A Yes.</p> <p>20 Q And when is the last time you spoke with 15:30:03</p> <p>21 Debbie Sharp?</p> <p>22 A I don't know. I'm not sure.</p> <p>23 Q Do you know whether she still lives in 24 Nevada?</p> <p>25 A I do not know that. 15:30:17 Page 54</p>	<p>1 And are you able to see that document, 15:31:30</p> <p>2 Mr. Sessa?</p> <p>3 A Yes.</p> <p>4 Q I want to scroll down to paragraph 27. 5 Are you able to read paragraph 27? 15:31:40</p> <p>6 A Yes.</p> <p>7 Q And if we look at the first portion of the 8 first sentence, it says, 9 "A screenshot showing the 10 results of a search for Anthony 15:31:52</p> <p>11 Sessa's name on Ancestry.com is 12 shown below." 13 Do you see that?</p> <p>14 A Yes.</p> <p>15 Q And then I'm going to scroll down to the 15:32:02</p> <p>16 next page and we see some images excerpted here. 17 Do you see those?</p> <p>18 A Yes.</p> <p>19 Q And is it your understanding, Mr. Sessa, 20 that these reflect the search results for your name 15:32:16</p> <p>21 in Ancestry's yearbook database?</p> <p>22 A Yes.</p> <p>23 Q Do you know who conducted these searches?</p> <p>24 A No, I don't know.</p> <p>25 Q Do you know who captured these 15:32:33 Page 56</p>
<p>1 Q Do you know whether she may have gotten 15:30:18</p> <p>2 married after high school?</p> <p>3 A I don't know that, either.</p> <p>4 Q Do you know whether she still goes by the 5 name "Debbie Sharp"? 15:30:27</p> <p>6 A I don't know.</p> <p>7 Q And we see above you another student named 8 Colleen Schwarz.</p> <p>9 Do you see that?</p> <p>10 A Yes. 15:30:44</p> <p>11 Q And when is the last time you spoke with 12 Ms. Schwarz?</p> <p>13 A I don't know.</p> <p>14 Q Do you know whether she still lives in 15 Nevada? 15:30:54</p> <p>16 A I do not know that.</p> <p>17 Q Do you know whether she still goes by the 18 name "Colleen Schwarz"?</p> <p>19 A I do not know.</p> <p>20 Q Any idea what she looks like now? 15:31:02</p> <p>21 A No.</p> <p>22 Q I want to turn back, Mr. Sessa, to 23 Exhibit 1, which we were looking at previously which 24 is the complaint here, and I will share my screen 25 with you. 15:31:22 Page 55</p>	<p>1 screenshots? 15:32:36</p> <p>2 A No, I don't know.</p> <p>3 Q Do you know what search parameters were 4 used to generate these search results on Ancestry's 5 website? 15:32:49</p> <p>6 A I do not know.</p> <p>7 Q Do you know when these images were 8 captured?</p> <p>9 A I don't know that, either.</p> <p>10 Q If you look at this first image here, it 15:33:02</p> <p>11 says results one through three of three. 12 Do you see that, Mr. Sessa?</p> <p>13 A Yes.</p> <p>14 Q Is it your understanding that this search 15 of your name pulled up three results in Ancestry's 15:33:13</p> <p>16 yearbook database?</p> <p>17 A Yes.</p> <p>18 Q Do you know whether besides these three 19 records, any of your other yearbook records appear 20 on Ancestry's website? 15:33:28</p> <p>21 A I don't know.</p> <p>22 Q Is it your understanding that these are 23 the three records on which your claims to Ancestry 24 are raised?</p> <p>25 A Yes. 15:33:41 Page 57</p>



<p>1 MR. STRAUSS: Object to form. 15:33:42</p> <p>2 You may answer the question.</p> <p>3 BY MR. BAUMANN:</p> <p>4 Q Sorry. Was that a "yes"?</p> <p>5 A Ask the question again, please. 15:33:51</p> <p>6 Q Sure.</p> <p>7 Is it your understanding that these three</p> <p>8 records that we're looking at here in Exhibit 1 are</p> <p>9 the yearbook records on which your claims against</p> <p>10 Ancestry are based? 15:34:05</p> <p>11 MR. STRAUSS: Same objection.</p> <p>12 You may answer, Mr. Sessa.</p> <p>13 THE WITNESS: I don't know.</p> <p>14 BY MR. BAUMANN:</p> <p>15 Q Aside from these three yearbook records, 15:34:14</p> <p>16 are you aware of any other yearbook records on</p> <p>17 Ancestry's website?</p> <p>18 A I don't know that.</p> <p>19 Q I want to scroll back up to the text of</p> <p>20 paragraph 27 and I want to highlight in particular 15:34:29</p> <p>21 this second sentence here.</p> <p>22 Are you able to see that second sentence?</p> <p>23 A Did you highlight something?</p> <p>24 Q Sorry. It should be. I don't if you can</p> <p>25 see my cursor. 15:34:47 Page 58</p>	<p>1 screen? 15:36:04</p> <p>2 A Yes.</p> <p>3 Q And if we look at the first portion of</p> <p>4 this first sentence, it says,</p> <p>5 "A screenshot showing the 15:36:10</p> <p>6 results of a search for Anthony</p> <p>7 Sessa's name on the promotional</p> <p>8 limited-access version of</p> <p>9 Ancestry's website is shown below."</p> <p>10 Do you see that? 15:36:23</p> <p>11 A Yes.</p> <p>12 Q And this says "promotional limited-access</p> <p>13 version."</p> <p>14 What does that mean?</p> <p>15 A I would assume that means the fourteen-day 15:36:34</p> <p>16 free trial.</p> <p>17 Is that what that refers to?</p> <p>18 Q This is your complaint, Mr. Sessa. I'm</p> <p>19 trying to understand what you are referring to</p> <p>20 there. 15:36:48</p> <p>21 Do you have an understanding of what you</p> <p>22 are referencing there?</p> <p>23 A Yes.</p> <p>24 Q And what are you referencing there?</p> <p>25 A The fourteen-day free trial. 15:36:59 Page 60</p>
<p>1 Are you able to see that? 15:34:48</p> <p>2 A Yes.</p> <p>3 Q And it says,</p> <p>4 "These pages are accessible both to</p> <p>5 paying subscribers and to users of 15:34:53</p> <p>6 Ancestry's promotional 14-day 'free</p> <p>7 trial.'"</p> <p>8 Do you see that?</p> <p>9 A Yes.</p> <p>10 Q And was it your understanding when you 15:35:04</p> <p>11 made this allegation in paragraph 27 that to access</p> <p>12 the images that we were just looking at below, the</p> <p>13 user has to sign up for Ancestry's services?</p> <p>14 A Yes.</p> <p>15 Q Other than whoever captured these 15:35:26</p> <p>16 screenshots we were just looking at, do you know</p> <p>17 whether any free trial user of Ancestry's website</p> <p>18 has ever searched your name on Ancestry's site?</p> <p>19 A I don't know that.</p> <p>20 Q Do you know whether any user has ever 15:35:41</p> <p>21 searched your name on Ancestry's site?</p> <p>22 A I don't know that, either.</p> <p>23 Q I want to take a look down at paragraph 31</p> <p>24 of your complaint now.</p> <p>25 Are you able to see paragraph 31 on your 15:36:01 Page 59</p>	<p>1 Q So let's scroll down and take a look at 15:37:06</p> <p>2 the images in paragraph 31.</p> <p>3 And can you tell me, Mr. Sessa, what this</p> <p>4 first image reflects.</p> <p>5 A There is no image there. 15:37:19</p> <p>6 Q I'm seeing on my screen -- and you can let</p> <p>7 me know if you see something different -- a</p> <p>8 screenshot of Ancestry's web page that says at the</p> <p>9 top "All U.S., School Yearbooks, 1900-1999 results</p> <p>10 for Tony Sessa." 15:37:38</p> <p>11 Do you see that?</p> <p>12 A Yes.</p> <p>13 Q And that screenshot is what I was</p> <p>14 referring to as "the image."</p> <p>15 Are you able to see that on your screen? 15:37:48</p> <p>16 A Yes.</p> <p>17 Q And can you tell me what that screenshot</p> <p>18 reflects.</p> <p>19 A My name, where I live.</p> <p>20 Is that what you are asking me? 15:38:04</p> <p>21 Q Sure.</p> <p>22 So what I'm asking, Mr. Sessa, is do you</p> <p>23 have an understanding whether these are search</p> <p>24 results from Ancestry's website.</p> <p>25 A Yes. 15:38:17 Page 61</p>

<p>1 Q And we're looking at these search results 15:38:24</p> <p>2 in paragraph 31 which you allege are the search 3 results that are accessible through a promotional 4 limited-access version of the Ancestry website. 5 Do you see that? 15:38:41</p> <p>6 A Yes.</p> <p>7 Q And I want to scroll back up to 8 paragraph 27. 9 And as I understand your paragraph 27, 10 you're alleging that these are the search results 15:38:58</p> <p>11 visible to paying subscribers and users of the 12 fourteen-day free trial; is that right? 13 A Correct.</p> <p>14 Q And then if we look down these search 15 results in paragraph 27 that are visible to 15:39:13</p> <p>16 fourteen-day free trial users and paying 17 subscribers, they look different than the search 18 results we were just looking at in paragraph 31 for 19 the promotional limited-access version. 20 Would you agree? 15:39:33</p> <p>21 A Yes.</p> <p>22 Q And do you know why the search results 23 look different for the promotional limited-access 24 version as opposed to those in the prior paragraph 25 we were looking at for the fourteen-day free trial 15:39:47 Page 62</p>	<p>1 that question over 15:41:16</p> <p>2 You would agree, Mr. Sessa, that there 3 might have been other individuals named "Tony Sessa" 4 who attended high school in Nevada, right? 5 A There could be 15:41:28</p> <p>6 Q And so my question is how do you know that 7 this is your record as opposed to one of those other 8 Tony Sessas that attended school in Nevada? 9 A I don't know that I don't know</p> <p>10 Q As we sit here today, Mr. Sessa, do you 15:41:50</p> <p>11 know whether the records reflected in this 12 screenshot in paragraph 31 of your complaint are 13 your yearbook records? 14 A Yes, they are my yearbook records</p> <p>15 Q And how do you know that? 15:42:09</p> <p>16 A I have seen the photographs</p> <p>17 Q Well, I'm asking specifically, Mr. Sessa, 18 about this screenshot that we're looking at here 19 Do you see any photographs in that 20 screenshot? 15:42:24</p> <p>21 A No, I don't see any photographs in this 22 screenshot</p> <p>23 Q So my question is just viewing this 24 screenshot, do you know whether these three records 25 are records from your high school yearbook or those 15:42:39 Page 64</p>
<p>1 or paying subscribers? 15:39:50</p> <p>2 A I don't know.</p> <p>3 Q And I might have asked this already but 4 apologies if you already answered it. 5 Do you have an understanding of what you 15:40:02</p> <p>6 mean by "promotional limited-access version"? 7 A I don't -- I don't -- I don't know.</p> <p>8 Q Do you know what search parameters were 9 used to generate the search results reflected in 10 paragraph 31? 15:40:19</p> <p>11 A I don't know that.</p> <p>12 Q Do you know who conducted these searches? 13 A I don't know that, either.</p> <p>14 Q If you look at the first record on this 15 screenshot in paragraph 31 where it says "View 15:40:38</p> <p>16 Record Tony Sessa year." 17 Do you see that? 18 A Yes.</p> <p>19 Q And do you know whether that is a record 20 of one of your high school yearbooks? 15:40:52</p> <p>21 A Yes.</p> <p>22 Q And how do you know that? 23 A It's got my name on it.</p> <p>24 Q Well, we were looking, Mr. Sessa, earlier, 25 and we agreed that -- well, sorry. Let me start 15:41:11 Page 63</p>	<p>1 of another Tony Sessa who went to school in Nevada? 15:42:43</p> <p>2 MR. STRAUSS: Object to the form of the 3 question. 4 You may answer, Mr. Sessa. 5 THE WITNESS: I don't know. 15:42:52</p> <p>6 BY MR. BAUMANN: 7 Q I want to look down, Mr. Sessa, at 8 paragraph 32. 9 And are you able to see paragraph 32 on 10 your screen? 15:43:24</p> <p>11 A Yes.</p> <p>12 Q And I want to direct your attention 13 specifically to the last sentence which I will 14 highlight for you. 15 Are you able to see that? 15:43:31</p> <p>16 A Yes.</p> <p>17 Q And it says, 18 "Upon information and belief, 19 Ancestry has and continues to send 20 targeted promotional email messages 15:43:39</p> <p>21 including Anthony Sessa's name, 22 photograph, and likeness." 23 Do you see that? 24 A Yes.</p> <p>25 Q And what is your basis for that 15:43:48 Page 65</p>

<p>1 allegation? 15:43:50</p> <p>2 A Can you rephrase the question.</p> <p>3 Q Sure.</p> <p>4 What support do you have for your 5 allegation that Ancestry has sent targeted 15:44:10</p> <p>6 promotional E-mail messages including your name, 7 photograph, and likeness?</p> <p>8 A I don't know how to answer that. I don't 9 know.</p> <p>10 Q Do you know whether any of your 15:44:27</p> <p>11 information has ever been included by Ancestry in a 12 promotional E-mail message?</p> <p>13 A Yes.</p> <p>14 Q And how do you know that?</p> <p>15 A The research -- the research showed that 15:44:50</p> <p>16 and that's why it's filed.</p> <p>17 MR. STRAUSS: So Mr. Sessa, I'm going to 18 interrupt you and I'm going to remind you that 19 anything that you learned through your conversations 20 with counsel or any communications you had with 15:45:00</p> <p>21 counsel is privileged and not to disclose.</p> <p>22 So I'm going to allow you to answer the 23 question if you can without closing any 24 communication that you had with counsel. 25</p> <p style="text-align: right;">Page 66</p>	<p>1 E-mail message. 15:46:47</p> <p>2 What is a promotional E-mail message?</p> <p>3 A I don't know.</p> <p>4 Q Do you know whether what you referred to 5 as promotional E-mail messages contain any names? 15:46:58</p> <p>6 A I don't know that.</p> <p>7 Q Do you know whether what you referred to 8 as promotional E-mail messages include any 9 photographs?</p> <p>10 A I don't know that, either. 15:47:14</p> <p>11 Q And then this uses the term "likeness." 12 You will see that at the end.</p> <p>13 What do you understand a likeness to be?</p> <p>14 A An image.</p> <p>15 Q Would that be something different than 15:47:31</p> <p>16 photographs?</p> <p>17 A I don't know.</p> <p>18 Q Do you know whether any of what you 19 referred to as promotional E-mail messages that 20 Ancestry sends include likenesses? 15:47:47</p> <p>21 A I don't know.</p> <p>22 Q Have you ever used Ancestry's website? 23 And apologies if I might have asked you 24 that before.</p> <p>25 A No. 15:48:12</p> <p style="text-align: right;">Page 68</p>
<p>1 BY MR. BAUMANN: 15:45:15</p> <p>2 Q And to be clear, Mr. Sessa, I'm asking 3 only about facts that are within your knowledge. I 4 am not asking you to tell me about communications 5 with your counsel 15:45:28</p> <p>6 So with that focus in mind, do you know as 7 you sit here today whether any of your information 8 has ever been included by Ancestry in a promotional 9 E-mail message?</p> <p>10 A I don't know 15:45:44</p> <p>11 Q Have you ever seen a promotional E-mail 12 message containing any of your information that was 13 sent by Ancestry?</p> <p>14 A Not to my knowledge</p> <p>15 Q Have you ever spoken with anyone who's 15:46:02</p> <p>16 told you they received a promotional E-mail message 17 containing your information that was sent by 18 Ancestry, and again, with the admonition that I am 19 not looking for attorney-client communications</p> <p>20 A The answer is no 15:46:21</p> <p>21 Q Do you have an understanding of what 22 information appears in the E-mail messages that 23 Ancestry sends?</p> <p>24 A No</p> <p>25 Q And you say in your complaint promotional 15:46:42</p> <p style="text-align: right;">Page 67</p>	<p>1 Q Have you ever had a subscription to 15:48:16</p> <p>2 Ancestry's website?</p> <p>3 A No.</p> <p>4 Q Do you have any understanding as to 5 whether some of the services on Ancestry's site are 15:48:24</p> <p>6 available only to those with subscriptions?</p> <p>7 A I don't know that.</p> <p>8 Q We were just looking a moment ago, 9 Mr. Sessa, at your allegations in your complaint. 10 And as you recall, one of the allegations 15:48:52</p> <p>11 was that certain search results appeared to users 12 who had a fourteen-day free trial or who were paying 13 subscribers to Ancestry's website.</p> <p>14 Do you recall that?</p> <p>15 A Yes. 15:49:06</p> <p>16 Q So does that refresh your recollection as 17 to whether certain services on Ancestry's website 18 are available only to those who subscribe to 19 Ancestry's site?</p> <p>20 A I don't know. 15:49:24</p> <p>21 Q Do you know whether you have ever agreed 22 to the terms and conditions on Ancestry's website?</p> <p>23 A I am sorry. Could you repeat the 24 question.</p> <p>25 Q Sure. 15:49:38</p> <p style="text-align: right;">Page 69</p>


<p>1 Do you know whether you have ever agreed 15:49:39</p> <p>2 to the terms and conditions on Ancestry com's 3 website?</p> <p>4 A No</p> <p>5 Q Do you have an understanding as to whether 15:49:49</p> <p>6 Ancestry has terms and conditions in place for those 7 who sign up for its services?</p> <p>8 A I am sure they do</p> <p>9 Q Do you know, Mr Sessa, whether your 10 counsel has ever accessed Ancestry's website? 15:50:11</p> <p>11 A I don't know that</p> <p>12 Q Is that something you would have expected 13 them to do in investigating the allegations in your 14 complaint?</p> <p>15 A Yes 15:50:23</p> <p>16 Q And do you know whether your counsel ever 17 agreed to Ancestry's terms and conditions?</p> <p>18 MR STRAUSS: Object to form</p> <p>19 You may answer</p> <p>20 THE WITNESS: I don't know 15:50:34</p> <p>21 BY MR. BAUMANN:</p> <p>22 Q Is that something you would expect they 23 might do as part of researching the allegations in 24 your complaint?</p> <p>25 MR STRAUSS: Object to the form of the 15:50:47 Page 70</p>	<p>1 THE VIDEOGRAPHER: Back on the record. 16:06:50</p> <p>2 The time is 4:06 p m.</p> <p>3 BY MR. BAUMANN:</p> <p>4 Q And Mr. Sessa, before we took our break, I 5 was asking you whether you used any form of social 16:06:56</p> <p>6 media and there was just one document I wanted to 7 take a quick look at.</p> <p>8 (Deposition Exhibit 6 was marked 9 for identification by the court 10 reporter and is attached hereto.) 16:07:05</p> <p>11 MR. BAUMANN: And Sam, it's in the Exhibit 12 Share folder now and I will pull this up and share 13 my screen with you.</p> <p>14 BY MR. BAUMANN:</p> <p>15 Q Are you able to see this document, 16:07:25</p> <p>16 Mr. Sessa?</p> <p>17 And this has been marked as Exhibit 6.</p> <p>18 A Yes.</p> <p>19 Q And do you recognize this document?</p> <p>20 A No. 16:07:34</p> <p>21 Q So this at the top of the page says 22 "Anthony Sessa -- Las Vegas, Nevada, United States / 23 Professional Profile / LinkedIn."</p> <p>24 Do you see that?</p> <p>25 A Yes. 16:07:51 Page 72</p>
<p>1 question. 15:50:48</p> <p>2 You may answer it.</p> <p>3 THE WITNESS: I would assume they would do 4 that, yes.</p> <p>5 BY MR. BAUMANN: 15:50:55</p> <p>6 Q Mr. Sessa, do you maintain any social 7 media profiles?</p> <p>8 A No.</p> <p>9 Q Do you have a LinkedIn?</p> <p>10 A No. 15:51:24</p> <p>11 Q What about a Facebook?</p> <p>12 A No.</p> <p>13 Q Twitter?</p> <p>14 A No.</p> <p>15 MR. BAUMANN: I'm going to pull up a 15:51:35</p> <p>16 document here. Let me add it to our Exhibit Share 17 folder.</p> <p>18 For some reason this one is not coming up.</p> <p>19 Do you mind going off the record for one 20 minute? 15:52:17</p> <p>21 MR. STRAUSS: Sure.</p> <p>22 MR. BAUMANN: Thank you.</p> <p>23 THE VIDEOGRAPHER: Going off the record.</p> <p>24 The time is 3:52 p m.</p> <p>25 (Off the record.) 15:52:23 Page 71</p>	<p>1 Q And do you have an understanding of 16:07:52</p> <p>2 whether this is your LinkedIn profile?</p> <p>3 A I don't have a LinkedIn profile.</p> <p>4 Q So this is -- if this isn't yours, then 5 this would be presumably another Anthony Sessa in 16:08:01</p> <p>6 Nevada?</p> <p>7 A It could be.</p> <p>8 Q And we can take this document down.</p> <p>9 Mr. Sessa, how is it that -- well, let me 10 rephrase that question. 16:08:19</p> <p>11 Do you contend that you have been harmed 12 by Ancestry's use of your yearbook records on its 13 website?</p> <p>14 A Yes.</p> <p>15 Q And how do you content that that use of 16:08:31</p> <p>16 your yearbook records on Ancestry's website has 17 harmed you?</p> <p>18 A It's -- well, because they have taken my 19 information and my photograph and used it in their 20 advertising. 16:08:47</p> <p>21 Q And are there any other -- sorry, I didn't 22 mean to cut you off.</p> <p>23 A I didn't know if you heard it.</p> <p>24 Q I heard you.</p> <p>25 Aside from what you just stated, is there 16:09:05 Page 73</p>

<p>1 any other way that you contend you have been harmed 16:09:09</p> <p>2 by Ancestry's use of your yearbook records on its 3 website?</p> <p>4 A Other than them not asking for my 5 permission? So I guess the answer is no 16:09:21</p> <p>6 Is that -- that is my answer, no</p> <p>7 Q And you said that Ancestry uses your 8 yearbook information to advertise 9 What do you mean by that?</p> <p>10 A Well, they have used my information and my 16:09:46</p> <p>11 image to advertise on their website for new 12 subscribers</p> <p>13 Q And what I am trying to understand is when 14 you use the term "advertise," what is it that you 15 are saying Ancestry did with your yearbook records 16:10:05</p> <p>16 that you consider to be advertising?</p> <p>17 A They linked my photograph and information 18 to their advertising</p> <p>19 Q And when you said "to their advertising," 20 what are you referring to? 16:10:22</p> <p>21 A Their website They have linked my 22 information to their website to gain subscription</p> <p>23 Q And do you know whether Ancestry has 24 gained any subscribers as a result of the existence 25 of your yearbook records on the Ancestry website? 16:10:47</p> <p style="text-align: right;">Page 74</p>	<p>1 Q And do you have an understanding whether 16:12:07</p> <p>2 the white pages section of those books contained 3 address and telephone and name information for local 4 residents?</p> <p>5 A Yes, that's correct. 16:12:25</p> <p>6 Q And do you know whether your information 7 ever appeared in the white pages that you have seen?</p> <p>8 A I don't know that.</p> <p>9 Q In your view, Mr. Sessa, is the inclusion 10 of a name in the white pages directory advertising? 16:12:45</p> <p>11 MR. STRAUSS: Object to form. 12 You may answer the question, Mr. Sessa. 13 THE WITNESS: I don't know. 14 BY MR. BAUMANN:</p> <p>15 Q If nobody ever saw or searched your name 16:13:04</p> <p>16 on Ancestry's website, in your view, Mr. Sessa, has 17 Ancestry still used your yearbook information for 18 advertising?</p> <p>19 A Yes.</p> <p>20 Q And why is that? 16:13:23</p> <p>21 A Because they have taken my information and 22 photograph and used it without my permission.</p> <p>23 Q And in your view that is advertising?</p> <p>24 A They linked it to advertising for their 25 website. 16:13:41</p> <p style="text-align: right;">Page 76</p>
<p>1 A I don't know that. 16:10:50</p> <p>2 MR. STRAUSS: Object to form. 3 You may answer. 4 THE WITNESS: I don't know that. 5 BY MR. BAUMANN: 16:10:55</p> <p>6 Q We were looking earlier, Mr. Sessa, in 7 your complaint at some search results that pulled up 8 to the name "Tony Sessa." 9 Do you recall that?</p> <p>10 A Yes. 16:11:12</p> <p>11 Q And do you consider those search results 12 to be advertisements?</p> <p>13 A Yes.</p> <p>14 Q And why is that?</p> <p>15 A They're tied into the website. 16:11:24</p> <p>16 Q Mr. Sessa, you live in New Mexico, 17 correct?</p> <p>18 A Correct.</p> <p>19 Q Is there a Yellow Pages directory in 20 New Mexico? 16:11:51</p> <p>21 A I don't know that.</p> <p>22 Q When you were living in Nevada, did you 23 ever see a Yellow Pages directory that was 24 distributed to the area?</p> <p>25 A Yes, when they used to do that. 16:12:04</p> <p style="text-align: right;">Page 75</p>	<p>1 Q Have you ever provided written consent to 16:13:51</p> <p>2 anyone for the use of your yearbook information?</p> <p>3 A Not that I know of, no.</p> <p>4 Q Have you ever provided written consent to 5 any third parties to use your name? 16:14:08</p> <p>6 A No.</p> <p>7 Q Have you ever provided written consent to 8 any third parties to use your identity?</p> <p>9 A No.</p> <p>10 Q Have you ever provided written consent to 16:14:20</p> <p>11 any third parties to use your likeness?</p> <p>12 A No.</p> <p>13 Q Do you recall, Mr. Sessa, when you were in 14 high school and you first had your photograph 15 depicted in your yearbook whether you provided 16:14:36</p> <p>16 written consent to the publishers to use your 17 yearbook -- sorry -- use your photo in the yearbook?</p> <p>18 A I don't know that.</p> <p>19 Q Have you ever granted any license to use 20 your name? 16:14:59</p> <p>21 A No.</p> <p>22 Q Have you ever granted any license to use 23 your likeness?</p> <p>24 A No.</p> <p>25 Q Have you ever granted any license to use 16:15:11</p> <p style="text-align: right;">Page 77</p>

<p>1 your identity? 16:15:13</p> <p>2 A No</p> <p>3 Q Have you ever otherwise granted permission 4 or authorization to use your name, likeness, or 5 identity? 16:15:24</p> <p>6 A No</p> <p>7 MR. BAUMANN: Sam, can we take two 8 minutes We might be done here 9 You cut out, Sam</p> <p>10 MR. STRAUSS: I was just saying excellent 16:15:50</p> <p>11 work</p> <p>12 MR. BAUMANN: Let's go off the record for 13 two minutes</p> <p>14 THE VIDEOGRAPHER: Going off the record</p> <p>15 MR. STRAUSS: Jack, just because I don't 16:15:56</p> <p>16 want to take a subsequent break, is it okay if we 17 make it a five-minute?</p> <p>18 MR. BAUMANN: Sure</p> <p>19 THE VIDEOGRAPHER: Going off the record</p> <p>20 The time is 4:16 p m 16:16:04</p> <p>21 (Off the record )</p> <p>22 THE VIDEOGRAPHER: Back on the record</p> <p>23 The time is 4:22 p m</p> <p>24 MR. BAUMANN: All right, Mr. Sessa I 25 don't have any more questions for you today, barring 16:22:51</p> <p style="text-align: right;">Page 78</p>	<p>1 (Off the record ) 16:24:11</p> <p>2 THE VIDEOGRAPHER: Back on the record</p> <p>3 The time is 4:25 p m</p> <p>4 BY MR. STRAUSS:</p> <p>5 Q Mr. Sessa, on the screen you should see 16:25:39</p> <p>6 what has been previously marked as Exhibit Number 1 7 and I believe we're looking at page 9 of Exhibit 1</p> <p>8 Can you tell me, Mr. Sessa, are you able 9 to see three photographs?</p> <p>10 A Yes 16:25:55</p> <p>11 Q And you can tell me who the -- who is 12 depicted in those photographs?</p> <p>13 A Myself</p> <p>14 MR. STRAUSS: And, Jack, would you mind 15 scrolling to the next page 16:26:06</p> <p>16 MR. BAUMANN: Here?</p> <p>17 MR. STRAUSS: Perfect</p> <p>18 BY MR. STRAUSS:</p> <p>19 Q Mr. Sessa, can you tell me who is depicted 20 in that image? 16:26:12</p> <p>21 A Myself</p> <p>22 Q Do you have any trouble identifying the 23 identity of the person in that image?</p> <p>24 A No</p> <p>25 MR. STRAUSS: And can we scroll to the 16:26:24</p> <p style="text-align: right;">Page 80</p>
<p>1 any follow-up I might have in the event your counsel 16:22:55</p> <p>2 has further questions.</p> <p>3 MR. STRAUSS: So I just have a few 4 questions.</p> <p>5 Jack, would you assist in pulling up the 16:23:02</p> <p>6 complaint again. I apologize.</p> <p>7 MR. BAUMANN: Of course.</p> <p>8 MR. STRAUSS: And I believe, though I 9 don't have it -- I believe page 9 is what I was -- 10 if you could turn to. 16:23:22</p> <p>11 MR. BAUMANN: Sure thing. Is that good?</p> <p>12 MR. STRAUSS: Yeah, that is perfect.</p> <p>13</p> <p>14 EXAMINATION</p> <p>15 BY MR. STRAUSS: 16:23:26</p> <p>16 Q Mr. Sessa, can you see the exhibit -- I 17 believe it's Exhibit Number 1 -- that Jack just put 18 on the screen for us?</p> <p>19 MR. STRAUSS: Shall we go off record for a 20 minute? 16:24:04</p> <p>21 MR. BAUMANN: Yes.</p> <p>22 THE VIDEOGRAPHER: Going off the record.</p> <p>23 MR. STRAUSS: Yes, please.</p> <p>24 THE VIDEOGRAPHER: Going off the record.</p> <p>25 The time is 4:24 p m. 16:24:09</p> <p style="text-align: right;">Page 79</p>	<p>1 next page. 16:26:26</p> <p>2 BY MR. STRAUSS:</p> <p>3 Q And Mr. Sessa, I'm going to ask you the 4 same question.</p> <p>5 Could you tell me who is depicted in the 16:26:31</p> <p>6 image currently on the screen on page 10 of 7 Exhibit 1.</p> <p>8 A Myself.</p> <p>9 Q Do you have any trouble identifying the 10 person depicted in that image? 16:26:43</p> <p>11 A No, that is me.</p> <p>12 MR. STRAUSS: All right.</p> <p>13 And Jack, would you mind scrolling down 14 further.</p> <p>15 BY MR. STRAUSS: 16:26:51</p> <p>16 Q And then last set here, Mr. Sessa, can you 17 tell me who is depicted on the bottom of page 10 in 18 that image.</p> <p>19 A That is myself.</p> <p>20 Q Do you have any trouble identifying the 16:27:01</p> <p>21 person depicted in this image?</p> <p>22 A No.</p> <p>23 MR. STRAUSS: And Jack, it is okay, you 24 can take Exhibit 1 off the screen.</p> <p>25</p> <p style="text-align: right;">Page 81</p>



<p>1 BY MR. STRAUSS: 16:27:12</p> <p>2 Q Mr. Sessa, what is it that you allege 3 Ancestry.com has done regarding your yearbook photos 4 and information?</p> <p>5 A They have used my information, photos, for 16:27:28</p> <p>6 advertising for their website Ancestry.com.</p> <p>7 Q Do you believe that Ancestry.com has made 8 money from the use of your yearbook photos and 9 information?</p> <p>10 A Yes. 16:27:41</p> <p>11 Q Do you believe that your yearbook photos 12 and information have value to Ancestry.com?</p> <p>13 A Yes.</p> <p>14 MR. STRAUSS: I have no further questions, 15 so Jack? 16:27:53</p> <p>16 MR. BAUMANN: I just have one quick 17 follow-up for you, Mr. Sessa.</p> <p>18</p> <p>19 FURTHER EXAMINATION</p> <p>20 BY MR. BAUMANN: 16:27:59</p> <p>21 Q When your counsel was asking you 22 questions, you said you believed that Ancestry had 23 made money from its use of your yearbook records; is 24 that right?</p> <p>25 A Correct. 16:28:12</p> <p>Page 82</p>	<p>1 be retained by Veritext. 16:29:32</p> <p>2 (The deposition was concluded at 3 4:29 p m.)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>Page 84</p>
<p>1 Q And why do you believe Ancestry's made 16:28:13</p> <p>2 money from use of your yearbook record?</p> <p>3 A Because they used my information and 4 picture for advertising, and if it got subscribers, 5 then they have made money off of my image and 16:28:28</p> <p>6 information.</p> <p>7 Q And I think we covered this earlier, but 8 you don't know whether Ancestry gained any 9 subscribers as a result of your yearbook record on 10 its website; is that correct? 16:28:43</p> <p>11 A I don't know that. That's correct.</p> <p>12 Q So you know whether Ancestry's made any 13 money as a result of its use of your yearbook 14 record; is that right?</p> <p>15 MR. STRAUSS: Object to form. 16:28:54</p> <p>16 You may answer it.</p> <p>17 THE WITNESS: That is correct.</p> <p>18 MR. BAUMANN: No further questions from 19 me.</p> <p>20 MR. STRAUSS: I'm all set here, as well, 16:29:02</p> <p>21 Mr. Sessa.</p> <p>22 THE VIDEOGRAPHER: This is the end of 23 the video recorded deposition of Anthony Sessa.</p> <p>24 We're off the record at 4:29 p.m.</p> <p>25 The number of media used is five and will 16:29:15</p> <p>Page 83</p>	<p>1 DECLARATION</p> <p>2</p> <p>3</p> <p>4</p> <p>5 I, ANTHONY SESSA, do hereby declare that I 6 have read the foregoing transcript; that I have made 7 any corrections as appear noted, in ink, initialed 8 by me, or attached hereto; that my testimony as 9 contained herein, as corrected, is true and correct.</p> <p>10 I declare under the penalties of perjury 11 under the laws of the State of California that the 12 foregoing is true and correct.</p> <p>13 This declaration is executed this _____ 14 day of _____, 2022, at 15 _____, California.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20 _____ ANTHONY SESSA</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>Page 85</p>

1 STATE OF \_\_\_\_\_ )  
 ) Ss.  
 2 COUNTY OF \_\_\_\_\_ )  
 3  
 4 I, DARYL BAUCUM, a Certified Shorthand  
 5 Reporter of the State of California, do hereby  
 6 certify;  
 7 That the foregoing proceedings were taken  
 8 before me at the time and place herein set forth,  
 9 at which time the witness named in the foregoing  
 10 proceeding was placed under oath; that a record  
 11 of the proceedings was made by me using machine  
 12 shorthand which was thereafter transcribed under my  
 13 direction; and that the foregoing pages contain a  
 14 full, true and accurate record of all proceedings  
 15 and testimony to the best of my skill and ability.  
 16 I further certify that I am neither  
 17 financially interested in the outcome nor a relative  
 18 or employee of any attorney or any party to this  
 19 action.  
 20 IN WITNESS WHEREOF, I have subscribed my  
 21 name this 14th day of October 2022.  
 22  
 23  
 24  
 25   
 DARYL BAUCUM, CSR No. 10356

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1 SAMUEL STRAUSS, ATTORNEY AT LAW  
 2 Sam@TurkeStrauss.com  
 3 OCTOBER 14, 2022  
 4 RE: SESSA V. ANCESTRY.COM  
 5 OCTOBER 11, 2022, ANTHONY SESSA, JOB NO. 5468893  
 6 The above-referenced transcript has been  
 7 completed by Veritext Legal Solutions and  
 8 review of the transcript is being handled as follows:  
 9 \_\_\_ Per CA State Code (CCP 2025.520 (a)-(e)) – Contact Veritext  
 10 to schedule a time to review the original transcript at  
 11 a Veritext office.  
 12 \_\_\_ Per CA State Code (CCP 2025.520 (a)-(e)) – Locked .PDF  
 13 Transcript - The witness should review the transcript and  
 14 make any necessary corrections on the errata pages included  
 15 below, notating the page and line number of the corrections.  
 16 The witness should then sign and date the errata and penalty  
 17 of perjury pages and return the completed pages to all  
 18 appearing counsel within the period of time determined at  
 19 the deposition or provided by the Code of Civil Procedure.  
 20 \_\_\_ Waiving the CA Code of Civil Procedure per Stipulation of  
 21 Counsel - Original transcript to be released for signature  
 22 as determined at the deposition.  
 23 \_\_\_ Signature Waived – Reading & Signature was waived at the  
 24 time of the deposition.  
 25

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1 X Federal R&S Requested (FRCP 30(e)(1)(B)) – Locked .PDF  
 2 Transcript - The witness should review the transcript and  
 3 make any necessary corrections on the errata pages included  
 4 below, notating the page and line number of the corrections.  
 5 The witness should then sign and date the errata and penalty  
 6 of perjury pages and return the completed pages to all  
 7 appearing counsel within the period of time determined at  
 8 the deposition or provided by the Federal Rules.  
 9 \_\_\_ Federal R&S Not Requested - Reading & Signature was not  
 10 requested before the completion of the deposition.  
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1 SESSA V. ANCESTRY.COM  
 2 ANTHONY SESSA (#5468893)  
 3 E R R A T A S H E E T  
 4 PAGE \_\_\_ LINE \_\_\_ CHANGE \_\_\_  
 5  
 6 REASON \_\_\_\_\_  
 7 PAGE \_\_\_ LINE \_\_\_ CHANGE \_\_\_  
 8  
 9 REASON \_\_\_\_\_  
 10 PAGE \_\_\_ LINE \_\_\_ CHANGE \_\_\_  
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 23  
 24 WITNESS \_\_\_\_\_ Date \_\_\_\_\_  
 25

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[&amp; - accurate]

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**[action - aside]**

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**[targeted - unjust]**

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**[yearbook - zooming]**

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

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THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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SESSA V. ANCESTRY.COM

ANTHONY SESSA (#5468893)

# E R R A T A S H E E T

PAGE 18 LINE 8 CHANGE "2020" to "2021"

REASON Inadvertently answered with incorrect date

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REASON

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REASON

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REASON

*[Signature]*

11 / 22 / 2022

WITNESS

Date \_\_\_\_\_

DECLARATION

I, ANTHONY SESSA, do hereby declare that I have read the foregoing transcript; that I have made any corrections as appear noted, in ink, initialed by me, or attached hereto; that my testimony as contained herein, as corrected, is true and correct.

I declare under the penalties of perjury under the laws of the State of ~~California~~ Nevada that the foregoing is true and correct.

This declaration is executed this 22nd day of November, 2022, at Las Vegas, ~~California~~ Nevada.



ANTHONY SESSA